Single Bench

IN THE HIGH COURT OF JUDICATURE, AT BILASPUR (C.G.)

Writ Petition No. 785 **/2005**

PETITIONER : Sanjay Kesharvani S/o. Krishna Kumar Kesharvani, Aged about 26 years, R/o. Village Belgahna. Thana Belgahna, Tahsil, Kota, Distt. Bilaspur (C.G.)

VERSUS

RESPONDENTS

1] State of Chhattisgarh, Through: Secretary, Department of Forest, D.K.S. Bhawan Raipur (C.G.)

2] Conservator of forest, Bilaspur (C.G.)

3] Divisional Forest Officer, Belgahna, Marvahi Forest Division, Pendra Road, Distt. Bilaspur (C.G.)

P.R. No. 800/05
Presented by Shri Vivek Sharma
dated 25-02-05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

(24)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.285/ **सन्** 2005

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

9-3-2005

Mr. Praveen Das, counsel for the petitioner.

Mr. Sumesh Bajaj, Deputy Govt. Advocate for the State/respondents.

Heard both the counsel.

The only grievance in this petition raised by the petitioner is that his vehicle namely, Jeep (Gama) bearing registration No.CG-10/BA-5743 as alleged was found carrying forest wood, therefore, the same was seized, and on conclusion of the enquiry, confiscation order was passed by the Divisional Forest Officer on 1-2-2004, against which the petitioner herein preferred an appeal before the Conservator of Forests and an application for releasing jeep in question on Supurdginama during the pendency of the appeal was also moved, but the appeal as well as the application is not being decided by the Conservator of Forests, as a result of which the jeep in question which has been confiscated will become junk. Looking to the urgency, the learned Conservator of Forests ought to have decided the appeal or the application.

The argument of learned counsel for the petitioner herein is not without force. Even the Hon'ble Apex Court in clear words has said that the authorities of the Courts must dispose of the applications regarding release of goods, vehicles and other articles seized, so that these items should not become junk.

In the circumstances, the Conservator of Forests is directed to decide the appeal as well as the application at the earliest within a period of two months from the date of receipt of copy of this order.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P.No.635/2005 also stands disposed of

Sd/-
L.C. Bhadoo
Judge

Soma

10/3/05